

## **REMARKS**

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1 - 35, 37, 39-41, and 44-47 are pending, of which claims 1 - 3, 5, 6, 8, 9, 14, 21, 23, 24, 28 - 35, 37, 39, 41, and 44 - 47 have been amended. The amendments to claims 1 - 3, 5, 6, 8, 9, 14, 21, 23, 24, 28 - 35, 37, 39, 41, and 44 - 47 are simply to provide clarification and/or to correct informalities noted by the Applicant, and are not to overcome prior art or any other objections.

Applicant would like to thank examiner's courtesy in the interview on April 3, 2008. In that interview applicant explained structural features of the invention as virtual objects being manipulated by other virtual objections. Applicant has amended the claims to depict this distinction, and examiner agreed to consider to withdraw the current rejection in view of that distinction.

### **Claim Objection(s)**

Claim 37 is objected to under as reciting a conjunctive "and" term. Claim 37 has been amended to remove the conjunctive "and".

### **35 U.S.C. §112 Claim Rejections**

Claims 32 - 35 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 32 - 34 have been amended to recite "The computer readable medium comprising computer executable instructions" to provide a proper antecedent basis. Claim 35 has been amended to recite "The computer readable medium comprising computer

executable instructions of claim 31,” to provide a proper antecedent basis for limitations of the claim.

### **35 U.S.C. §102 Claim Rejections**

Claims 1, 3, 6, 8 and 14 stand rejected as being anticipated by Thompson et. al. (U.S Pub #2002/0142847) “Thompson”. Claims 23, 26-28, 30-32 and 34 stand rejected as being anticipated by Seven Kingdoms II: The Fryhtan Wars “Seven Kingdoms”.

Applicant submits the references do not anticipate the amended claims and, in view of the comments below, respectfully traverse the Office’s rejection. Before discussion the substance of the Office’s rejections, however sections entitled “the Thompson reference” and “The Seven Kingdoms reference” are provided and describe their respective disclosures and teachings.

### **The Thompson Reference**

Thompson teaches a game assistant application that is used to build a competitive card or board game by analyzing the user’s physical inventory. In Thompson, the user manually inputs collection content and a textual wish list (e.g. a desired competitive game or strategic outcome). The Thompson game assistant application then using the user inputs, game rules, logic and its own database determines recommendations for the user regarding which games pieces to use when the user plays the game.

### **The Seven Kingdoms Reference**

Seven Kingdoms teaches a game where the player builds civilizations which are displayed on a map. The game player may build a particular kingdom which may contain many nationalities. The kingdom may also contain building structures (objects) such as mines, markets and factories. Seven Kingdoms displays these buildings on a map. The user, by selecting a tab (Nationality Filter) on the map, can selectively display these building structures of a particular nationality or by selecting another tab (Object Filter) can display a particular type of building.

### **Argument**

Applicant submits that amended claim 1, upon which claims 2 - 22 are dependent, is not anticipated by Thompson. Applicant submits that amended claim 23, upon which claims 24 - 30 are dependent, and amended claim 31 upon which claims 32-35 are dependent, are not anticipated by Seven Kingdoms.

#### **Amended Claim 1** recites:

“A method for managing in a computer game a plurality of virtual items during computer game play, the method comprising:

indicating to a game player on a computer display during computer game play the plurality of computer generated virtual objects to be obtained as possessions by a computer generated representation of the game player from other computer generated representations, at least a portion of the plurality of virtual objects comprising attributes;

collecting the plurality of virtual objects with the computer generated representation of the game player;

indicating on the computer display as being possessed with the computer generated representation of the game player at least a portion of the collected plurality of virtual objects;

filtering in the computer game the collected plurality of virtual objects based on their attributes; and displaying on the computer display the filtered collected plurality of objects in the game inventory.” [Emphasis Added]

Thompson does not show or disclose obtaining the virtual items with a computer generated representation of the game player, as recited in amended claim 1. Further Thompson does not indicate objects as being possessed by the computer generated representation of the game player during play of the game. Finally Thompson does not disclose displaying on the computer display the filtered obtained plurality of objects in the game inventory. Thompson discloses a software application that runs on one computer that is used to help the user in setting his strategy for game pieces prior to game play, where the game pieces are used in a board game, card game or may be obtained from another computer.

According to the examiner indicating to a game player on a computer display during computer game play the plurality of computer generated virtual items to be obtained as possessions by a computer generated representation of the game player from other computer generated representations is disclosed by: “paragraph 30, Thomson; a computer monitor or personal digital assistant is disclosed on which the user preferences are inherently output in the form of virtual items including a virtual player and virtual game assistant items are displayed.” (Office Action page 4).

Applicant points out that the Thompson reference discloses game piece preferences which are not objects. Text values are not computer generated virtual objects. Paragraph 30 of Thompson recites the following:

As shown in FIG. 1, the software system 100 starts at step 10, permits user input, such as collection, content and preferences at step

20, and then accesses at step 30 the playing unit database 25. The software system 100 then accesses at step 40 the game rules, including the selection rules, game goals, and victory conditions. Following this step, an analysis is performed at step 50 of the information from steps 30 and 40, taken in view of the user preferences input at step 20, to produce a recommended grouping. The output or display step may be accessed by a computer monitor or a personal digital assistant, such as a palm pilot apparatus.

As the applicants' representative and the examiner agreed during the interview of April 3, 2008, nothing in Thompson (paragraph 30) discloses receiving virtual objects by the virtual player. The reference fails to disclose that such virtual objects are objects obtained as possessions by a virtual player. Thompson discloses receiving preferences relating to a collection of trading cards, theme cards, board game pieces or other game playing pieces. Nothing is disclosed in the reference that indicates that this virtual item is an item possessed by a computer generated representation of a game player.

Thomson is also different from Applicant's game playing inventory management application because Thompson does not suggest obtaining virtual objects with a computer generated representative of a game player. A game piece is NOT an object that was possessed in Thompson by a computer generated representation of a game player. Thompson does not show filtering in the computer game the obtained plurality of virtual objects or displaying on the computer display the filtered obtained objects.

A proper 102 rejection requires that the reference disclose all the elements of the claim. If an element is inherent, then it is not disclosed and thus cannot be anticipated by the reference. For these reasons, Applicant requests that the Office withdraw the §102 rejection of claim 1 and its dependent claims.

Claims 3, 6, 8 and 14 are allowable by virtue of their dependency upon claim 1 (either directly or indirectly). These claims are also allowable for their own recited features that, in combination with those recited in Claim 1 are neither disclosed nor suggested in Thompson. Accordingly, the §102 rejection should be withdrawn.

Amended Claim 23 recites a computer game including a game display, the game display comprising:

virtual item icons indicating a plurality of virtual objects collected in a virtual bag by a computer generated representation of a game player during play of the computer game, at least a portion of the plurality of virtual objects comprising attributes, and

an inventory management portion, the inventory management portion further includes:

an inventory filter icon that can be selected to yield a selected inventoried bag display, the selected inventoried bag display displays one or more filtered virtual item icons, each displayed virtual filtered item icon represents at least one of the plurality of collected virtual objects that includes the attributes filtered based on queries associated with the inventory filter icon. [emphasis added]

Claim 31 recites a computer readable medium having computer executable instructions which, when executed by a processor, causes the processor to:

indicate a plurality of virtual objects to be obtained as possessions by a computer generated representation of a virtual game player during the play of a computer game, at least a portion of the plurality of virtual objects comprising attributes;

collect in an inventory package the plurality of virtual objects with the computer generated representation of the game player;

select a filter to apply to the inventory package based on the attributes of at least one of the plurality of virtual objects that are used within the computer game; and

apply the selected filter to the inventory package based on the at least one of the attributes. [emphasis added]

As was agreed in the interview, Seven Kingdoms does not show or disclose virtual objects collected in a virtual bag by a computer generated representation of a game player, as recited in amended claim 23 or a “package” as recited in claim 31. Specifically Seven Kingdoms II does not indicate to the game player virtual objects collected in a bag during game play. Further Seven Kingdoms does not display during game play the filtered objects in a game inventory bag. Seven Kingdoms does disclose displaying objects on a map; however, a map is NOT a bag or a package. Seven Kingdoms, unlike the Applicant’s game playing inventory management application, does not provide objects collected in a bag or package by a computer generated representation of a game player. For these reasons, Applicant requests that the Office withdraw these rejections.

**Claims 26-28, 30, 32, and 34** are allowable by virtue of their dependency upon claim 23 (either directly or indirectly) and 31 respectively. These claims are also allowable for their own recited features that, in combination with those recited in Claim 23 or 31 are neither disclosed nor suggested in Seven Kingdoms. Accordingly, the §102 rejection should be withdrawn.

Applicant submits that claims 1-22, as amended, are not anticipated by Thompson, claims 23 – 34, as amended, are not anticipated by Seven Kingdoms, and hereby requests that the rejection of these claims be withdrawn.

### **35 U.S.C. §103 Claim Rejections**

Dependent claims 2, 4-5, 7, 9-13, 15-20, 22, 35, 44 and 46, are rejected under 35 U.S.C. §103(a) for being unpatentable over Thompson in view of Seven Kingdoms II (*Office Action* p. 9 - 13).

Dependent claims 21, 24, 45 and 47 are rejected under 35 U.S.C. §103(a) for being unpatentable over Thompson and Seven Kingdoms II in view of Motor City Online (Published) (*Office Action* p. 14 - 16).

Claims 25, 29, 33, and 39 - 41 and independent claim 37 upon which claims 38 – 43 are dependent are rejected under 35 U.S.C. §103(a) for being unpatentable over Seven Kingdoms II in view of Thompson (*Office Action* p. 16 - 18).

For the reasons stated below, applicant traverses these rejections.



Amended Claim 37 recites “a game server operative to couple with a plurality of game computers running a computer game, the game server at least partially including an inventory management portion that stores an indication of a plurality of virtual objects obtained as possessions in a bag by computer generated representations of a plurality of game players during their play of the computer game, at least a portion of the plurality of virtual objects comprising attributes, the inventory management portion further including a process for providing an inventory filter icon that can be selected by the plurality of game players to filter attributes of the plurality of virtual objects to yield a selected inventoried package, the selected inventoried package includes a process for indicating at least one virtual item icon to the game player, each indicated virtual item icon represents at least one of the plurality of the virtual objects that includes the attributes filtered as a result of at least one of the game players selecting the inventory filter icon.”  
[emphasis added]

Seven Kingdoms and/or Thompson do not teach or suggest the combination of feature(s) recited in claim 37. Thomson describes a method for managing game pieces, such as cards or board parts. Seven Kingdoms describes a method for displaying buildings on a map constructed during a game. Neither Thomson nor Seven Kingdoms describe an inventory management portions that indicates virtual objects obtained as possessions in a virtual bag by computer generated representations of game players during game play. As agreed in the examiner interview a map is not a virtual bag. Further there is no teaching or suggestion of a selectable filter icon that when selected filters and indicates the obtained virtual item icons in a bag, as recited in amended claim 37. Neither Seven Kingdoms nor Thompson store virtual objects in a bag that may then be filtered.

Accordingly, claim 37 is allowable over the Seven Kingdoms and/or Thompson combination for at least the reasons described above, and Applicant respectfully requests that the §103 rejection be withdrawn.

Claims 39 - 41 are allowable by virtue of their dependency upon claim 37 (either directly or indirectly). Accordingly, the §103 rejection should be withdrawn. Additionally, some or all of claims 38 - 43 are allowable over the Seven Kingdoms in view of Thompson combination for independent reasons. For example:

Claims 2, 4, 5, 7, 9-13, 15-20; 22, 25, 29, 33, 35, 44 and 46 are allowable by virtue of their dependency upon claim 1, 23 and 31 respectively, which is allowable over Thompson for at least the reasons described above in response to the §102 rejection of claims 1, 23 and 31. Claims 2, 5, 7, 9-13, 15-20, 22, 25, 33, 35, 44, and 46 are also allowable over the Thompson / Seven Kingdoms combination because Thompson and/or Seven Kingdoms do not address the deficiencies of Thompson as described above in the response to the rejection of amended claim 1 and Seven Kingdoms do not address the deficiencies for amended claims 23 and 31. Accordingly, the §103 rejection should be withdrawn.

**Amended claim 2** further recites:

“The method of claim 1 further comprising:

indicating to a game player on the computer display during computer game play the computer generated representation of the game player;

indicating on the computer display other computer generated representations as characters in the game;

indicating on the computer display the obtaining of the plurality of virtual objects with the computer generated representation of the game player; and

displaying the computer generated representation of the game player and the other computer generated representation as an animated character.”

Neither Thompson nor Seven Kingdoms disclose indicating to the game player the computer representation of the game player, the representation of the characters, obtaining of the virtual objects and these representations as animated characters. As none of the elements of this claim are shown, the §103 rejection should be withdrawn.

**Claims 21, 45 and 47, and claim 24** are allowable by virtue of their dependency upon amended claim 1, and 23 respectively, which are allowable over Thompson for at least the reasons described above in response to the §102 rejection of claim 1 and Seven Kingdoms for at least the reasons described above in response to the §102 rejection of claim 23. Claims 21 and 24 are also allowable over the Thompson / Seven Kingdoms / Motor City combination because Thompson and/or Seven Kingdoms /Motor City do not address the deficiencies of

Thompson as described above in the response to the rejection of amended claims 1 and Seven Kingdoms do not address the deficiencies for amended claim 23.

**Amended Claim 21** recites indicating the objects as being possessed using a virtual bag displayed on the computer display, wherein the filtering is executed using a filter, and wherein an indication of the filter is displayed as part of the computer display displaying the bag. [emphasis added] Neither Thompson, Seven Kingdoms nor Motor City display a virtual bag that is used to indicate virtual objects as being possessed, nor do they display a filter as part of the computer display displaying the bag. The examiner cites motor city for teaching altering an attribute of a virtual item by setting an item price as the item is used and possess virtual objects via auctions. The examiner states that it is well known to use bags or other storage to contain objects as being possessed, but provides no reference for such a supposition. Applicant requests that a reference be provided for storing objects that are possessed in a virtual bag by a computer generated virtual representation of a game player, where the objects in a bag are filtered. Accordingly, claim 21 is allowable over the Thompson, Seven Kingdoms, Motor City references and the §103 rejection should be withdrawn.


**Conclusion**

Pending claims 1 - 35, 37, 39-41, and 44-47 are in condition for allowance and Applicant respectfully requests issuance of the subject application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,

Dated: 4/16/2008

By: \_\_\_\_\_

  
Steven C Stewart  
Reg. No. 33,555  
(206) 315-7909